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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,957	01/16/2004	Philip S. Langridge	03-6184	8173
63710 7590 05/01/2008 DEAN P. ALDERUCCI CANTOR FITZGERALD, L.P. 110 EAST 59TH STREET (6TH FLOOR) NEW YORK, NY 10022				
EXAMINER ZECHER, MICHAEL R				
ART UNIT 3691		PAPER NUMBER		
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/759,957

**Applicant(s)**

LANGRIDGE, PHILIP S.

**Examiner**

MICHAEL R. ZECHER

**Art Unit**

3691

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 March 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 13-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The following is a second, final Office Action on the merits. The Amendment/Remarks received March 11, 2008, has been entered. **Claims 23 & 37** have been amended. **Claims 13-37** are pending.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 13, 14, 16-20, 23, 24, 31, & 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Martyn et al. (U.S. 6,195,647), and further in view of McCarthy et al. (U.S. 2002/0161690).

**As per claim 13**, Martyn et al. teaches a method comprising:

selecting a quadrant from a plurality of quadrants (See column 11, lines 43-44, which discusses displaying a selected portion of securities), in which the selected quadrant comprises a portion of a customizable display (See column 1, lines 53-58, which discusses customizing a trading display) and the selected quadrant comprises a benchmark instrument (See figure 4, #4024, which illustrates the inside quote for a specific security);

retrieving market data for the benchmark instrument and the plurality of non-benchmark instruments (See column 5, lines 51-56, which discusses receiving market data in real time); and

generating the customizable display in accordance to a layout (See column 1, lines 53-58, which discusses customizing a trading display).

However, Martyn et al. does not disclose retrieving a plurality of non-benchmark instruments, in which each non-benchmark instrument shares at least one variable in common with the benchmark instrument, and in which the benchmark instrument comprises a first type of instrument, and in which the one of the plurality of non-benchmark instruments comprises a second type of instrument; and

in which the customizable display comprises the selected quadrant and a plurality of other quadrants, and the selected quadrant comprises the retrieved market data for the benchmark instrument and the plurality of non-benchmark.

McCarthy et al. discloses a system, method, and medium for performing electronic trading (See abstract).

Both Martyn et al. and McCarthy et al. disclose customized trading displays for financial instruments. McCarthy et al. discloses portfolio lines that range from individual securities to categories or types of securities, selected benchmarks (See paragraphs 50 & 78, which discusses particular securities or categories of securities that match specific trading criteria; and, furthermore, selected benchmarks and adding additional securities), and a compilation of grids (See figures 10-11 & 14-15, which illustrates numerous grids that display relevant market data). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Martyn et al. to include non-benchmark securities related to a selected benchmark security, whereby the benchmark security and non-benchmark securities make up

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different instruments, and displaying the market data in grids as taught by McCarthy et al. in order to allow a trader to use various trading interfaces to create orders, manipulate orders, cancel orders, cycle through multiple issues, obtain trading information more relevant than limit price stacks, or efficiently buy or sell items inside or within a spread market.

**As per claim 14**, Martyn et al. teaches the layout is selected from a plurality of layouts (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

**As per claim 16**, Martyn et al. teaches receiving a request to replace the layout of the customizable display with a second layout (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

**As per claim 17**, Martyn et al. teaches:

receiving a request to replace the benchmark instrument with a second benchmark instrument, in which the benchmark instrument is associated with the selected quadrant (See column 5, lines 62-67, which discusses how a user types the name of a security in a text box in order to create a new window);

selecting a second quadrant, in which the second quadrant comprises the second benchmark instrument (See figure 4, and column 5, line 57, through column 6, line 22, which illustrates and discusses how the NASDAQ workstation software fills in various information to create a new display);

removing the selected quadrant from a position in the layout (See column 4, lines 52-67, and column 7, lines 24-34, which discusses how a user selects the Dynamic Quote Setup window by using a Window list box); and

updating the customizable display to include the second quadrant, in which the second quadrant is located in the position that was formerly occupied by the selected quadrant (See column 1, lines 53-58, column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

**As per claim 18**, Martyn et al. teaches receiving a request to exchange a position of a first quadrant in the layout with the position of a second quadrant in the layout (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

**As per claim 19**, Martyn et al. teaches:

determining that the request to exchange is a permissible option (See column 10, lines 55, through column 11, lines 35, which discusses how a user can open windows for individual securities immediately); and

updating the customizable display, in which the layout of the updated customizable display comprises the first quadrant being located in the position that was formerly occupied by the second quadrant and the second quadrant being located in the position that was formerly occupied by the first quadrant (See column 4, lines 52-67,

and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

**As per claim 20**, Martyn et al. teaches:

receiving a request to add a third benchmark instrument to the customizable display (See column 5, lines 62-67, which discusses how a user types the name of a security in a text box in order to create a new window);

selecting a third quadrant, in which the third quadrant comprises the third benchmark instrument (See figure 4, and column 5, line 57, through column 6, line 22, which illustrates and discusses how the NASDAQ workstation software fills in various information to create a new display);

replacing the layout that was previously used by the customizable display with a second layout, in which the second layout decreases a size of each quadrant from the previous layout in order to accommodate the size of the third quadrant (See column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows); and

generating the customizable display in accordance to the second layout, in which the customizable display comprises a third quadrant (See column 1, lines 53-58, column 4, lines 52-67, and column 7, lines 23-57, which discusses customizing a trading display, including removing windows, updating windows, and adding windows).

**As per claim 23**, Martyn et al. teaches at least one of the first type of instrument and the second type of instrument comprises at least one of: a bond, a futures contract,

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a stock, a debt instrument, an equity, and another type of instrument (See column 3, lines 36-43, which discusses securities).

**As per claim 24**, Martyn et al. teaches an apparatus comprising:

a processor; and

a memory, in which the memory stores instructions which, when executed by the processor, direct the processor (See figure 1, which illustrates a hardware system architecture, including a central computer containing a processing unit/memory).

**Claims 26-29** recite equivalent limitations to claims 16 & 18-20, respectively, and are therefore rejected using the same art and rationale set forth above.

**Claim 30** recites equivalent limitations to claim 23 and is therefore rejected using the same art and rationale set forth above.

**As per claim 31**, Martyn et al. teaches an article of manufacture comprising:

a storage medium, in which the storage medium stores instructions which, when executed by a processor, direct the processor to perform (See figure 1, which illustrates a hardware system architecture, including a central computer containing a processing unit/memory).

**Claims 33-36** recite equivalent limitations to claims 16 & 18-20, respectively, and are therefore rejected using the same art and rationale set forth above.

**Claim 37** recites equivalent limitations to claim 23 and is therefore rejected using the same art and rationale set forth above.



***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 15, 21, 22, 25, & 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Martyn et al. (U.S. 6,195,647), in view of McCarthy et al. (U.S. 2002/0161690), and further in view of Ram et al. (U.S. 2006/0069635).

**As per claim 15**, the Martyn et al. and McCarthy et al. combination does not disclose that the layout comprises at least one of:

1x6;  
2x3;  
3x2; and  
6x1.

Ram et al. discloses a method, software, and system for buying and selling financial securities, durable goods, and other items using an interface configured according to a user's preference (See abstract).

Both the Martyn et al. and McCarthy et al. combination and Ram et al. discloses methods, systems, and respective software for buying and selling securities. Ram et al. discloses selectable layouts with the following dimensions: 1 x 6 (See figure 76 and paragraph 508, which illustrates and discusses displaying security data in a 1 x 4 layout; and, furthermore, how settings and criteria may be pre-defined. A user could provide

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settings and criteria for a 1 x 6 configuration), 2 x 3 (See figure 68, which illustrates displaying security data in a 2 x 3 layout), 3 x 2 (See paragraph 508, which discusses how settings and criteria may be pre-defined. A user could provide settings and criteria for a 3 x 2 layout), and 6 x 1 (See figure 76 and paragraph 510, which illustrates and discusses displaying security data in a 1 x 4 layout; and, furthermore, how settings and criteria may be pre-defined. A user could provide settings and criteria for a 6 x 1 configuration). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Martyn et al. and McCarthy et al. combination to include dimensional layouts consisting of 1 x 6, 2 x 3, 3 x 2, and 6 x 1 as taught by Ram et al. in order to combine the known features of a customized trading display with various pre-defined layouts to achieve the predictable result of allowing a user to select a preference.

**Claims 25 & 32** recite equivalent limitations to claim 15 and are therefore rejected using the same art and rationale set forth above.

**As per claim 21**, the Martyn et al. and McCarthy et al. combination does not disclose that the size of each quadrant comprises a minimum requirement.

Ram et al. discloses restricting the configuration of tables (See paragraph 546, which discusses how all tables may be purposely restricted according to pre-defined configurations); restricting or limiting the table output (See paragraphs 363 & 694, which discuss resizing behavior in a Microsoft windows application and restricting the size of a table according to a limited number of securities or security categories), controlling the height of each table (See paragraph 802, which discusses the configuration or settings

of a graphical table interface including size and formatting of the table); and a display setting tab to restrict layouts (See paragraph 304, which discusses a Display Setting tab page that allows a user to restrict size of particular layouts). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Martyn et al. and McCarthy et al. combination to include resizing of trading displays, including minimum heights for each quadrant, as taught by Ram et al. in order to combine the known techniques of pre-defined movement, size, and display within the context of a computer to achieve the predictable result of providing customized user preferences.

**As per claim 22**, the Martyn et al. and McCarthy et al. combination does not disclose that the customizable display comprises a maximum quantity of quadrants.

Ram et al. discloses restricting the configuration of tables (See paragraph 546, which discusses how all tables may be purposely restricted according to pre-defined configurations); restricting or limiting the table output (See paragraphs 363 & 694, which discuss resizing behavior in a Microsoft windows application and restricting the size of a table according to a limited number of securities or security categories), controlling the height of each table (See paragraph 802, which discusses the configuration or settings of a graphical table interface including size and formatting of the table); and a display setting tab to restrict layouts (See paragraph 304, which discusses a Display Setting tab page that allows a user to restrict size of particular layouts). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Martyn et al. and McCarthy et al. combination to include resizing of trading

displays and restricting at least one of the selectable layouts as taught by Ram et al. in order to combine the known techniques of pre-defined movement, size, and display within the context of a computer to achieve the predictable result of providing customized user preferences.

***Response to Arguments***

6. Applicant's arguments, see pgs. 7-8 of the Remarks, filed March 11, 2008, with respect to the claim objections of claims 26-30 & 33-36 have been fully considered and are persuasive. The claim objections of claims 26-30 & 33-36 has been withdrawn.
7. Applicant's arguments, see pg. 8 of the Remarks, filed March 11, 2008, with respect to the 35 U.S.C. § 112, second paragraph, rejection of claims 23 & 37 have been fully considered and are persuasive. The 35 U.S.C. § 112, second paragraph, rejection of claims 23 & 37 has been withdrawn.
8. Applicant's arguments with respect to claims 13-37 have been considered but are moot in view of the new grounds of rejection.

***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MICHAEL R. ZECHER whose telephone number is (571)270-3032. The examiner can normally be reached on M-F 7:30-5:00 alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on 571-272-6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Hani M. Kazimi/

Primary Examiner, Art Unit 3691